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10 Attorneys for Defendants

11 NOVATEL WIRELESS, INC., VERIZON

12 COMMUNICATIONS, INC., AND

13 CELLCO PARTNERSHIP D/B/A

VERIZON WIRELESS

14 UNITED STATES DISTRICT COURT

15 SOUTHERN DISTRICT OF CALIFORNIA

16 CARUCEL INVESTMENTS, L.P., a

17 Delaware limited partnership,

18 Plaintiff,

19 v.

20 NOVATEL WIRELESS, INC., a

21 Delaware corporation, VERIZON

22 COMMUNICATIONS, INC., a Delaware

23 corporation, CELLCO PARTNERSHIP

24 D/B/A VERIZON WIRELESS, a

Delaware general partnership,

25 Defendants.

CASE NO. 3:16-cv-00118-H-KSC

**DEFENDANTS' NOTICE OF  
MOTION AND MOTION TO  
RE-TAX COSTS**

Hon. Marilyn L. Huff

Date: October 10, 2017

Time: 10:30 a.m.

Courtroom: 15A

Judge: Hon. Marilyn L. Huff

1 TO THE CLERK OF THE DISTRICT COURT FOR THE SOUTHERN  
2 DISTRICT OF CALIFORNIA AND ALL PARTIES AND THEIR COUNSEL OF  
3 RECORD:

4 PLEASE TAKE NOTICE that, on October 10, 2017 at 10:30 a.m., or as soon  
5 thereafter as the matter may be heard, in Courtroom 15A before the Honorable  
6 Marilyn L. Huff, defendants Novatel Wireless, Inc., Verizon Communications, Inc.  
7 and Cellco Partnership d/b/a Verizon Wireless (collectively “Defendants”) will  
8 move, and hereby do move, the Court for an order re-taxing certain costs  
9 Defendants incurred in connection with the claims for infringement of U.S. Patent  
10 Nos. 7,221,904; 7,848,701; 7,979,023; 8,718,543 asserted by plaintiff Carucel  
11 Investments, LP, but which denied by the Clerk. Specifically, Defendants move the  
12 Court to re-tax costs associated with the electronic production of documents and the  
13 preparation of graphics for trial.

14 On April 10, 2017, this Court entered judgment for Defendants upholding a  
15 jury verdict of non-infringement of the ’904, ’701, ’023 and ’543 patents.  
16 Accordingly, Defendants are the prevailing parties in this action and are entitled, as  
17 a matter of law, to an award of costs incurred in connection with its defense of  
18 Carucel claims for infringement of the ’904, ’701, ’023 and ’543 patents. *See*  
19 Federal Rule of Civil Procedure 54(d) and Local Rule 54.1.

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1 Defendants' Motion is based on this Notice of Motion and Motion to Re-Tax  
2 Costs, the Memorandum in Support of this Motion, the Declaration of Bruce R.  
3 Zisser in Support of Defendants' Motion to Re-Tax Costs, Defendants' Bill of Costs  
4 and supporting documentation of costs filed therewith, the April 10, 2017 Judgment  
5 of this Court and all other files and records in this action, and upon such other,  
6 further or different showing as may be presented at a later date in connection with  
7 this Motion.

8  
9 Dated: September 8, 2017

QUINN EMANUEL URQUHART  
& SULLIVAN, LLP

10  
11 Bv: /s/ Bruce R. Zisser

Bruce R. Zisser (Bar No. 180607)  
Email: brucezisser@quinnemanuel.com

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13 *Attorneys for Defendants Novatel*  
14 *Wireless, Inc., Verizon Communications,*  
15 *Inc. and Cellco Partnership d/b/a Verizon*  
16 *Wireless*  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 8, 2017 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

DATED: September 8, 2017 By: /s/ Bruce R. Zisser

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*Attorneys for Defendants Novatel Wireless,  
Inc., Verizon Communications, Inc. and  
Cellco Partnership d/b/a Verizon Wireless*